

REMARKS/ARGUMENTS

Claims 19-36 now stand in the present application, claims 1-18 having been canceled, and new claims 19-36 having been added. Reconsideration and favorable action is respectfully requested in view of the above amendments and the following remarks.

In the Office Action the Examiner has noted deficiencies with the Information Disclosure Statement submitted on September 18, 2006. Applicants have attached hereto a corrected Information Disclosure Statement coversheet (PTO/SB/08a) to incorporate the information required by the Examiner with the exception of a date including the month for the document entitled "QChat..." A more definitive date for this document is not available to Applicants.

The Examiner has objected to the specification for including embedded hyperlinks. As noted above, Applicants have amended the specification in order to correct this deficiency.

The Examiner has objected to the specification as not providing proper antecedent basis for original claim 15. As noted above, claim 15 has been canceled and the deficiency pointed out by the Examiner has been corrected in newly added claims 23 and 33.

The Examiner has rejected claims 8 and 18 under 35 U.S.C. § 112, second paragraph, as being indefinite. As noted above, original claims 8 and 18 have been canceled and replaced with new claims 26 and 36 in which the deficiency pointed out by the Examiner has been corrected.

The Examiner has rejected claim 9 as being directed non-statutory subject matter under 35 U.S.C. § 101. Again, Applicants have canceled original claim 9 and newly added claims 27 and 28 are believed to correct the deficiency pointed out by the Examiner.

The Examiner has rejected original claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Vysotsky et al. ("Vysotsky"), Geilhufe et al. ("Geilhufe"), and the secondary reference of Dailey ("Dailey"). The Examiner's § 103 rejections of the claims is believed to be moot in view of the cancellation of original claims 1-18. However, the newly added claims 19-36 are believed to patentably define over any combination of the Examiner's references as will be explained in greater detail below.

The new set of claims substantially correspond to granted claims in the corresponding EP patent EP 1695586. Applicants have amended the word "message" to "audio stream" to better describe the present invention, and have added some further information to claims 19 and 29 that clearly shows that the system relates to a Push-to-talk system. Basis for these amendments can be found in the present specification at page 7, line 33 through page 8, line 16.

The Examiner refers to Vysotsky (US 5,832,063) and Geilhufe (US 6,584,439) and alleges that the invention according to original independent claims 1 and 11, which correspond to newly added claims 19 and 29, are obvious in view of these two documents. Since neither Vysotsky nor Geilhufe relates to Push-to-talk methods and systems the newly added claims patentably define over those references taken singly or

in combination.

Vysotsky describes a method and apparatus for activating telephone services in response to speech. The method and system permit a customer to place a call by speaking a person's name which serves as a destination identifier without having to speak an additional command or steering word to place the call. Vysotsky uses two parallel speech recognition systems, the first being speaker independent for recognising commands such as "cancel call forwarding" and the second being speaker dependent for recognising names in the received message, e.g. to find who to call.

Contrary to Applicants' invention, Vysotsky deals with duplex telephone systems and methods and a call always start with a separate dialing phase. For example, a confirmation message, confirming which person the system will call or what command he/she wants to perform, is always played back to a user before the command or call is initiated. See Vysotsky at column 10, lines 48-59 and column 11, lines 30-34.

Regarding the voice command system for devices disclosed in Geilhufe the Examiner states that "a half-duplex setup would be obvious to someone of ordinary skill because devices do not respond while the user is submitting commands." In Geilhufe each device is given a specific name by each user and each device is equipped with a speech recognition and synthesis system. Thus, a user does not have to use a communication network to talk to the devices, each of which constantly listens for a message including their name. If a device recognises its name it responds to the user. Sometimes, however, a device may be equipped with a communications interface to enable a user to remotely communicate with the device. In the description, column 11,

line 61 through column 12, line 32, is stated that the communication may take place over the telephone system or over the Internet. However, nowhere in the document is it indicated that a half-duplex system is, or could, be used.

To the contrary, column 13, lines 52-56 clearly states that "bidirectional communication" is used and further in column 11, line 11 that the devices are "constantly listening" -- which rules out a half-duplex system. Hence, the teachings of Geilhufe would not lead a skilled person to implement a half-duplex setup to the method and system of Vysotsky, as required by the amended claims. Therefore, the method of claim 19 and the system according to claim 29 are both novel and inventive over the combination of Vysotsky and Geilhufe.

Respective dependent claims 20-28 and 30-36 are also novel and inventive due to their dependency on claims 19 and 29.

Regarding original claims 5 and 15 the Examiner states that the parallel speech recognition systems in Vysotsky, where one speech recogniser listens for commands and one for names, means that each recogniser operates only on a portion of the message. Applicants disagree. In Vysotsky both speech recognisers have to listen to and process the whole message ("Please, I would like to activate *call forwarding* to *Mary*, if I may") in order to find the commands or names that can be anywhere in the message. Accordingly, claims 23 and 33 are believed to patentably define over the cited art for this additional reason.

Regarding original claims 7 and 17 the Examiner states that unless a device in Geilhufe is addressed by its appliance name the speech recogniser and receiver

determination does not perform their specified functions and thus that the name works as an activation signal. However, how can the device recognise its name unless the speech recogniser is already activated? Further, as noted above, the devices are "constantly listening." Hence, the conclusion drawn by the Examiner is erroneous. Accordingly, claims 25 and 35 are believed to patentably define over the cited art for this additional reason.

Regarding original claims 8 and 18 the Examiner states that the command "Cancel call" would be a signalling means that signals that the communications service should cease transporting messages. However, in Vysotsky column 7, lines 1-7 there is no disclosure that a "cancel call" command can be sent out during a call. What is disclosed is that a "cancel call forwarding" command can be sent out; this is however not done during an ongoing voice call. The list discloses commands that can be used to invoke or cancel various functions and/or services. The Examiner has misinterpreted this part of Vysotsky. Accordingly, claims 26 and 36 are believed to patentably define over the cited art for this additional reason.

Regarding original claims 4 and 14 the Examiner cites in addition to Vysotsky and Geilhufe a further document, Dailey (US 6,449,491). Dailey discloses that a half-duplex call to a group of recipients can be set up. However, Dailey does not disclose a determination step determining a plurality of intended receivers. In Dailey the predetermined group is fixed, that is a user has predefined which users belong to a certain group. In Applicants' invention group calls to a number of different people can be created on the fly when a user presses a button on his device and says "Hi Peter,

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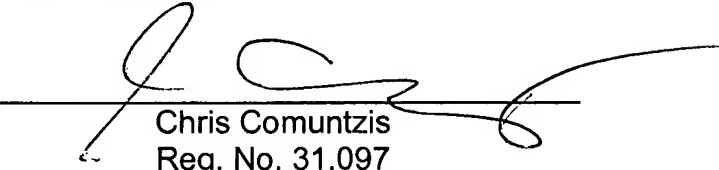
Simon and Roger, I'd like to discuss.... Accordingly, claims 22 and 32 are believed to patentably define over the cited art for this additional reason.

Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 19-36, now standing in the application be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the Examiner is respectfully requested to contact the undersigned at the local telephone exchange indicated below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Chris Comuntzis
Reg. No. 31,097

CC:lmr
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100